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Applicant S. Charbit et al.
Serial No. 09/768816
Filed 1/23/01
For The Treatment of Pathological Conditions Characterized By An Increased IL-1 Level

Assistant Commissioner for Patents
Washington, DC 20231

Preliminary Amendment

This amendment is being filed before any official action has been issued with respect thereto.

Kindly enter the following amendment:

p. 1, l. 12)
p. 4, l. 9) after "metastases," in each case, insert --pulmonary fibrosis--
p. 8, l. 16)
Claim 3, l. 4)

Kindly add the following as a separate page following the claims:

--Abstract--

The treatment of pathological conditions characterized by an increased IL-1 and/or TNF- α level, such as rheumatoid arthritis, psoriatic arthritis, Wegener's disease, granulomatosis, asthma, pulmonary emphysema, Paget's disease, osteoporosis, bone metastases, pulmonary fibrosis, and atherosclerosis, by administering an effective amount of the compound diacerein or rhein, as well as the use of diacerein or rhein in the treatment of certain conditions or disorders associated with the process of formation and development of the various types of blood cells and other formed elements by the hemopoietic tissues such as myeloma and myeloid leukemia.

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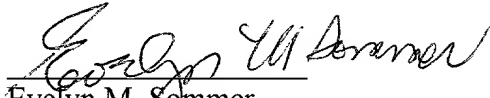
Remarks

The instant Preliminary Amendment is proffered to provide an Abstract which it appears from the applicants' file was not included in the original filing and to include an additional inflammatory condition by name which was included in the original listings. The condition is "pulmonary fibrosis". This condition is defined in Stedman's Medical Dictionary, 26th Edition, Williams & Wilkins, as "an acute to chronic inflammatory process of the lungs . . . either completely ideopathic or associated with collagen-vascular disease."

The specification throughout states that "the pathological conditions contemplated herein . . . encompass the inflammatory and autoimmune diseases" (p. 1, ll. 17-18), "the use of diacerein and rhein in the treatment of inflammatory and autoimmune diseases" (p. 4, l. 7), " . . . method of treatment including the administering of diacerein or rhein to patients suffering from the inflammatory and immune diseases . . ." (p. 6, l. 15), Claim 2, etc. Attention is also called to p. 5, ll. 17-18, wherein it is noted that "IL-1 and TNF . . . contribute to the fibrosis and tissue degeneration of the chronic proliferative phase of inflammation", as well as to many other instances wherein an inflammatory condition is referenced broadly as amenable to treatment as described and claimed, including conditions associated with collagen-vascular disease.


It is submitted that the amendment's inclusion of "pulmonary fibrosis" in the specification and claims does not constitute new matter.

Respectfully submitted,


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EXPRESS LABEL CERTIFICATE

I hereby certify that the foregoing documents are being deposited with the U.S. Postal Service as Express Mail No. [EL395482122US] in an envelope addressed to: Commissioner for Patents, Washington, D.C. on March 9, 2001.


Lorri Emanu